

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**
Pittsburgh Division

IN RE:
RONALD S. JONES

Freedom Mortgage Corporation,
Movant

vs.

RONALD S. JONES ,
Debtor
and

United States Trustee
Respondent

Case No. 17-22147-GLT
Chapter 11

Hearing Date: October 27,2022

Hearing Time: 11:00 AM

Objection Date: 10/20/2022

**OBJECTION TO CONFIRMATION
OF DEBTOR'S SECOND AMENDED CHAPTER 13 PLAN**

Freedom Mortgage Corporation ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Second Amended Chapter 11 Plan* (Doc 243), and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 11 of the Bankruptcy Code on May 22, 2017.

2. Movant holds a security interest in the Debtor's real property located at 3307 Waterford Dr, Pittsburgh, PA 15238 (the "Property"), by virtue of a Mortgage which is recorded as instrument Number 2016-35264 in Official Records of Allegheny County, Pennsylvania. Said Mortgage secures a Note in the amount of \$275,793.00.

3. Movant filed a Proof of Claim in this case on May 16, 2022 (Claim No. 16-1) and an Amended Proof of claim on June 28, 2022 (Claim No. 16-2) which lists a secured claim of \$250,201.48 and PrePetition arrears of \$6,097.63.

4. The Debtor filed a Second Amended Chapter 11 Plan (the “Plan”) on September 16, 2022.

5. In Section 3-2 Debtor’s Plan disputes the existence of any arrearage owed to Movant and further provides that confirmation of the Plan constitutes an adjudication that the mortgage is current.

6. Movant objects to any plan which proposes to pay it anything less than \$6,097.63 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Mario Hanyon

Andrew Spivack, PA Bar No. 84439

Matt Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

Jay Jones, PA Bar No. 86657

Attorney for Creditor

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**CERTIFICATE OF SERVICE OF OBJECTION TO CONFIRMATION OF DEBTOR'S
SECOND AMENDED CHAPTER 11 PLAN**

I certify under penalty of perjury that on this day, I served or caused to be served the OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 11 PLAN on the parties at the addresses shown below or on the attached list.

The type(s) of service made on the parties (first-class mail, electronic notification, hand delivery, or another type of service) was:

Via CM/ECF electronic notice:

Donald R. Calaiaro, Esq.
Counsel for Debtor

Chapter 11 Trustee

Office of the United States Trustee

Liberty Center.
1001 Liberty Avenue, Suite 970
Pittsburgh, PA 15222
US Trustee

Via First Class Mail:

RONALD S. JONES
3307 WATERFORD DRIVE
PITTSBURGH, PA 15238
Debtor

Chapter 11 Trustee

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example, names and addresses of parties served by electronic notice will be listed under the heading "Via CM/ECF electronic notice" and those served by mail will be listed under the heading "Via First Class Mail".

EXECUTED ON: October 10, 2022

/s/Mario Hanyon
Andrew Spivack, PA Bar No. 84439
Matt Fissel, PA Bar No. 314567
Mario Hanyon, PA Bar No. 203993
Ryan Starks, PA Bar No. 330002
Jay Jones, PA Bar No. 86657
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PAWB Local Form 7 (07/13)

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ORDER

AND NOW, this _____ day of _____, 2022, upon consideration of Freedom Mortgage Corporation's Objection to Confirmation of Debtor's Chapter 11 Plan and any response thereto (if any), it is:

ORDERED AND DECREED: that Objection to Confirmation of Debtor's Chapter 11 Plan is denied.

Honorable Gregory L. Taddonio
United States Bankruptcy Court Judge